

## **REMARKS**

### **Summary of the Office Action**

Claims 1, 4-9, 13-16, 27, 30-37, 39-40, 42-53 and 58-62 stand rejected as being obvious over Fishkin (U.S. Patent No. 6,243,075) and Yates (6,225,976).

Claims 10-12, 17-26, 38, 55-57, and 63-64 stand rejected as being obvious over Fishkin, Yates and Sawada (6,441,811).

### **Summary of the Response**

It is Applicant's position that the claims are allowable over the cited references. While Applicant concedes that references such as Fishkin teach a deflectable display, the deflectable display is not what Applicant seeks to patent. Rather, embodiments described by this application seek to use deflection value from a deflectable display (or other structure) to simulate page flicking or flipping. Thus, embodiments relate the act of deflecting a display with the operation of displaying paginated content to resemble page turning.

For example, an embodiment such as claimed enables an Applicant to bend a display on which paginated content (such as an e-book) appears. The bending of the display causes pages of the electronic content to flip. As will be described, the cited references omit several features of this general description. In fact, the cited references have very little to do with a deflecting display application such as claimed by Applicant's embodiments.

### **Rejection of Claims 1, 4-9, 13-16, 27, 30-37, 39-40, 42-53 and 58-62 under 35 U.S.C. 103(a) for Fishkin and Yates**

Applicant respectfully disagrees with the rejections of the Office Action. It is Applicant's position that the Office Action omits consideration of several features in claim 1. In particular, please note the following.

Claim 1 recites the use of “paginated content”. The cited references do not pertain to paginated content. Yates teaches mechanisms for enabling scrolling or panning, but there is no mention of the type of content that is being scrolled or panned. To further distinguish this point, Applicant has amended the claims to recite that the plurality of pages are associated together in a sequence in the memory. This limitation is not provided for in the cited references.

Another feature of claim 1 that is distinguishable over the cited references is the limitation of the processor being “configured to use the deflection value to determine” a manner in which pages of the paginated content are to appear. While Fishkin teaches use of deflectable displays, Fishkin does not associate portions or pages of content with the flicking activity.

Furthermore, the deflection value is used to determine “a rate at which least portions of individual pages in the plurality of pages are presented in a sequence on the display.” The cited references make no mention of basing the rate of page presentation (or any other type of presentation), let alone a sequential presentation. With reference to Yates, operations described therein pertain to scrolling and panning. These operations are inherently operations in which new content that appears on a display is presented cohesively, as one page, not as multiple pages. Regardless, there is little teaching in Yates on how operations of content display and scrolling/panning can be related to one another, let alone how scrolling/panning can be related to operations where paginated content is displayed.

Independent claims 17, 33, and 39 include similar features of claim 1, but incorporate the feature of the “processor [that] is configured to use the deflection value to identify a set of pages in the plurality of pages...” (from claim 17). The cited references do not reach use of a deflection value to select pages from a paginated content. Furthermore, the claims included the added limitation of “based on the deflection value, the processor sequentially presents at least portions from one or more pages in the identified set of pages on a first area of the display.” (from claim 17) Not only do the cited references lack teachings of a relationship between the display of paginated content and deflection value, this claim and others recites a specific relationship: pages are

selected for sequential display based on the deflection value. There is no sequential presentation in the cited references, let alone a sequential presentation that is based on the deflection value.

With regard to claim 27, among other features, there is the recitation of “displaying at least portions of the multiple pages sequentially over an interval of time at a rate determined at least in part by the deflection.” As mentioned above, the specific relationship of displaying individual pages of a paginated content at a rate that is based on a deflection value is not taught or suggested by the cited references.

In claims 33 and 47, features that are distinguishable over the cited references include “selecting multiple pages ... using the measured deflection,...” As stated above, this feature is not covered by the cited references. Furthermore, claims 33 and 47 recite the feature of “displaying at least portions of the multiple pages sequentially ... at a rate determined ... by the deflection ...” (from claim 33) The cited references make no mention of rate determination, let alone rate determination based on deflection value, in the context of electronic pages and page flicking.

In addition to arguments presented above, independent claim 43 recites “a mechanism that deflects with the display to indicate a value”. It is not clear which portion of the cited references indicate a separate mechanism from the display that deflects with the display.

Rejection of Claims 10-12, 17-26, 38, 55-57, and 63-64 under 35 U.S.C. 103(a) for Fishkin and Yates and Sawada

In addition to arguments presented above, claim 38 recites a correlation between the deflection value and how proximate in terms of page count successive pages appearing on the display are. For example, a sever deflection may cause two successively displayed pages to be 20 pages apart (e.g. pages 10 and 30 in an e-book), while a moderate deflection causes two successive pages to be adjacent in terms of page count (e.g. pages 3 and 4). This aspect of this claim is not provided for in the cited references.

The Office Action relies on Sawada as a source for page turning in order to mimic the actual turning of the book. But Applicant reminds the Examiner that what is claimed in this application are various relationships between electronic measurements of deflection and page turning. The recitation of Applicant's claims which relate deflection value to the features of electronic page selection, sequential presentation of electronic pages, page proximity determination and display, and/or rate of page flipping are simply not covered by the combined references.

**CONCLUSION**

Applicants respectfully submit that all pending claims are patentable over the art of record. Accordingly, a Notice of Allowance is requested by Applicants. Applicants urge the Examiner to telephone Applicants' attorney at (408) 551-6632 if any issues remain that preclude allowance of the application. The Office is given permission to charge any unpaid fees to Applicants' deposit account (50-1914).

Respectfully submitted,

SHEMWELL GREGORY & COURTNEY LLP

Dated: 6/8/04



Van Mahamedi, Reg. No. 42,828

4880 Stevens Creek Blvd. Suite 201  
San Jose, California 95129  
Telephone No.: (408) 551-6632  
Facsimile No.: (408) 236-6641

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450

on 6/8/04

(Date)

by 

(Signature)